



**Interoffice Memorandum**

**REAL ESTATE MANAGEMENT ITEM 3**

**DATE:** May 16, 2024

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**THROUGH:** Mindy T. Cummings, Manager

**FROM:** Sara Solomon, Senior Title Examiner

**CONTACT PERSON:** Mindy T. Cummings, Manager

**PHONE:** 407-836-7090

**DIVISION:** Real Estate Management Division

**ACTION REQUESTED:**

Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Subordinations of County Utility Interests by and between Orange County and the State of Florida, Department of Transportation ("FDOT") at State Road 50, Section 75050, F.P. No. 239535-4 (Good Homes Road to Pine Hills Road), and Subordination of County Utility Interests by and between the State of Florida Department of Transportation and Orange County, and authorization to record instruments for FDOT State Road 50 (from Good Homes Road to Pine Hills Road). District 6. **(Real Estate Management Division)**

**PROJECT:** FDOT State Road 50 (from Good Homes Road to Pine Hills Road)

**PURPOSE:** To subordinate certain utility interests as necessary for road improvements.

*MTC*  
*SS/MTC*

**ITEMS:** Resolution

Subordination of County Utility Interests (FDOT Parcel No. 886)  
(Instrument 886.6)

Subordination of County Utility Interests (FDOT Parcel No. 888)  
(Instrument 888.6)

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Public Works Department

**REMARKS:** This action will subordinate Orange County utility interests to Florida Department of Transportation's (FDOT) proposed use of the land that they will acquire for their State Road 50, Section 75050, F.P. No. 239535-4 (from Good Homes Road to Pine Hills Road) project.

FDOT to pay recording fees and record instruments.

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

**JUN 04 2024**

23-UTL ORANGE COUNTY-06/19

March 8, 2023

This instrument prepared by

Robin D. Derr

Under the direction of

DANIEL L. MCDERMOTT, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 886.6  
SECTION 75050  
F.P. NO. 239535 4 / 4123266  
STATE ROAD 50  
COUNTY Orange

Please Return To:

Florida Department of Transportation

719 S. Woodland Boulevard

R/W Records Management MS 551

DeLand, FL 32720-6834

Attn: J. Denby

DOC # 20240373670

06/27/2024 07:28 AM Page 1 of 7

Rec Fee: \$61.00

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: SIMPLIFILE LC

### SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this 19<sup>TH</sup> day of JUNE, 2024, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

### WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL 886  
ACCESS EASEMENT

SECTION 75050  
F.P. NO. 239535 4

That part of:

PARCEL NO. 886.6  
 SECTION 75050  
 F.P. NO. 239535 4  
 PAGE 2

"A portion of land lying in the Southwest ¼ of Section 24, Township 22 South, Range 28 East, being more particularly described as commencing at the southwest corner of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence North 00° 13' 26" East a distance of 564.10 feet along the west line of said section; thence East a distance of 30.00 feet for a POINT OF BEGINNING; said point being on the east Right of way line of Hiwassee Road and 475.00 feet north of the north right of way line of State Road No. 50; thence run North 00° 13' 26" East along said east right of way line a distance of 266.19 feet; thence South 89° 47' 47" East a distance of 629.71 feet to the east line of the Northwest ¼ of the Southwest ¼ of the Southwest ¼ of said section; thence South 00° 17' 05" West a distance of 165.93 feet to the southeast corner of said Northwest ¼ of the Southwest ¼ of the Southwest ¼; thence South 89° 48' 35" East a distance of 165.00 feet along the south line of the Northeast ¼ of the Southwest ¼ of the Southwest ¼ of said section; thence North 00° 17' 05" East a distance of 633.58 feet to the south right of way line of Arundel Drive; thence South 89° 45' 34" East a distance of 660.20 feet along said south right of way line; thence South 00° 20' 44" West a distance of 633.01 feet to the south line of the Northwest ¼ of the Southeast ¼ of the Southwest ¼ of said section; thence North 89° 48' 35" West a distance of 165.00 feet to the southwest corner of said Northwest ¼ of the Southeast ¼ of the Southwest ¼; thence South 00° 20' 44" West a distance of 570.84 feet along the east line of the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of said section, to a point on the north right of way line of State Road No. 50; thence West a distance of 237.90 feet along said right of way line; thence North 00° 13' 26" East a distance of 250.00 feet parallel with and 1050.00 feet east of the east right of way line of Hiwassee Road; thence West a distance of 450.00 feet along a line parallel with the north right of way line of State Road No. 50; thence North 00° 13' 26" East a distance of 225.00 feet along a line parallel with the east right of way line of Hiwassee Road; thence West a distance of 600.00 feet along a line parallel with the north right of way line of State Road No. 50, to the POINT OF BEGINNING.

LESS AND EXCEPT:

COMMENCE at the southwest corner of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence North 00° 03' 31" East along the west line of said Section 24 a distance of 89.10 feet; thence East (North 90° 00' 00" East) a distance of 30.00 feet to a point on the north right of way line of State Road 50; thence North 00° 03' 31" East parallel with the west line of said Section 24 a distance of 475.00 feet for a Point of Beginning; thence continue North 00° 03' 31" East a distance of 266.61 feet to the south line of the North half of the South half of the Northwest ¼ of the Southwest ¼ of the Southwest ¼ of said Section 24; thence North 89° 41' 31" East along said south line a distance of 20.00 feet; thence South 00° 03' 31" West a distance of 266.72 feet; thence West (South 90° 00' 00" West) parallel with the north right of way line of State Road 50, a distance of 20.00 feet to the Point of Beginning.

PARCEL NO. 886.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 3

AND

The South 166.76 feet of the West 165 feet of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 24, Township 22 South, Range 28 East, Orange County, Florida.

MORE PARTICULARLY DESCRIBED AS:

A portion of land lying in the Southwest  $\frac{1}{4}$  of Section 24, Township 22 South, Range 28 East, being more particularly described as commencing at the southwest corner of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence North  $00^{\circ} 13' 26''$  East, a distance of 564.10 feet along the west line of said Section; thence East a distance of 50.00 feet for a POINT OF BEGINNING; said point being on the current east right of way line of Hiawassee Road and 475.00 feet North of the north right of way line of State Road No. 50; thence run North  $00^{\circ} 13' 26''$  East along said east right of way line a distance of 266.58 feet; thence South  $89^{\circ} 52' 08''$  East a distance of 774.49 feet; thence North  $00^{\circ} 16' 03''$  East a distance of 471.00 feet to the projected south right of way line of Arundel Drive; thence North  $89^{\circ} 41' 02''$  East a distance of 660.20 feet along said south right of way line; thence South  $00^{\circ} 19' 42''$  West a distance of 640.42 feet to the south line of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section; thence South  $89^{\circ} 54' 51''$  West a distance of 165.15 feet to the southwest corner of said Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence South  $00^{\circ} 18' 38''$  West a distance of 577.50 feet along the east line of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section, to a point on the north right of way line of State Road No. 50; thence North  $89^{\circ} 59' 32''$  West, a distance of 237.82 feet along said right of way line; thence North  $00^{\circ} 13' 26''$  East a distance of 250.00 feet parallel with and 1050.00 feet east of the east right of way line of Hiawassee Road; thence North  $89^{\circ} 59' 32''$  West a distance of 450.00 feet along a line parallel with the north right of way line of State Road No. 50; thence North  $00^{\circ} 13' 26''$  East a distance of 225.00 feet along a line parallel with the east right of way line of Hiawassee Road; thence North  $89^{\circ} 59' 32''$  West a distance of 580.01 feet along a line parallel with the north right of way line of State Road No. 50, to the POINT OF BEGINNING."

(Being the lands described and recorded in Document Number 20160483140, Public Records of Orange County, Florida)

Described as follows:

Commence at a 4-inch by 4-inch concrete monument with no identification in a well box marking the Northwest corner of the Southwest quarter of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence run South  $00^{\circ}00'34''$  West along the West line of the

PARCEL NO. 886.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 4

Southwest quarter of said Section 24 a distance of 2643.09 feet to a point on the Centerline of Survey of State Road 50 as shown on Florida Department of Transportation Right of Way Map Section 75050, Financial Project No. 239535 4; thence departing said West line, run North 89°48'19" East along said Centerline of Survey a distance of 1317.87 feet to a point on the West line of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of said Section 24; thence departing said Centerline of Survey, run North 00°05'32" East along said line 75.00 feet to a point on the existing North right of way line of State Road 50 for a POINT OF BEGINNING; thence departing said line run South 89°48'19" West, along said existing North right of way line, 35.69 feet; thence departing said existing North right of way line, run North 04°15'42" West 54.18 feet; thence North 08°43'31" West 29.64 feet to the beginning of a curve, concave easterly, having a radius of 218.20 feet; thence run northerly along the arc of said curve, through a central angle of 29°02'07" an arc length of 110.57 feet to the point of tangency; thence North 17°00'09" East 16.97 feet to the beginning of a curve, concave westerly, having a radius of 136.06 feet; thence run northerly along the arc of said curve, through a central angle of 16°44'14" an arc length of 39.75 feet to the point of tangency; thence North 00°15'57" East 120.24 feet to the beginning of a curve, concave westerly, having a radius of 255.42 feet; thence run northerly along the arc of said curve, through a central angle of 36°41'46" an arc length of 163.59 feet to the point of tangency; thence North 36°25'49" West 35.66 feet; thence North 59°36'27" East 188.93 feet; thence South 30°44'14" East 78.35 feet to a point on the North line of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of said Section 24; thence South 89°42'07" West, along said line, 102.99 to the Northeast corner of the Southeast one-quarter of the Southwest one-quarter of the Southwest one-quarter of said Section 24; thence South 00°05'32" West, along the East line of said Southeast one-quarter of the Southwest one-quarter of the Southwest one-quarter, 577.38 feet to the POINT OF BEGINNING.

CONTAINING 0.698 acres, more or less.

**RECORDED**

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	9/12/1979	Mathilda B. Pugh	Orange County	3047/113
Easement	1/31/1980	PSM Development Corporaton	Orange County	3090/747

PARCEL NO. 886.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 5


PROVIDED that the County has the following rights:

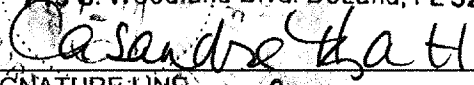
1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

PARCEL NO. 886.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 6

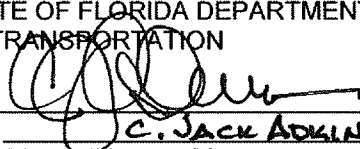
IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

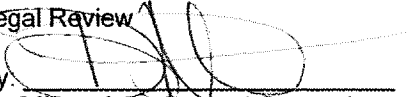
Signed, sealed and delivered  
in the presence of witnesses:

  
 SIGNATURE LINE  
 PRINT/TYPE NAME: Sharon A. Liehr  
 719 S. Woodland Blvd. DeLand, FL 32720

  
 SIGNATURE LINE  
 PRINT/TYPE NAME: Casandra Thatt  
 719 S. Woodland Blvd. DeLand, FL 32720

STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION

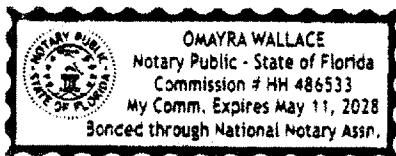
By:   
C. JACK ADKINS  
 District Director Of  
 Transportation Development  
 for District Five  
 719 S. Woodland Blvd.  
 DeLand, Florida 32720

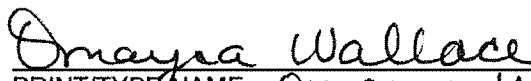
Legal Review  
 By:   
 Office of the General Counsel

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 19 day of June, 2024, by C. Jack Adkins, District Director of Transportation Development for District Five, who is personally known to me or who has produced \_\_\_\_\_ as identification.



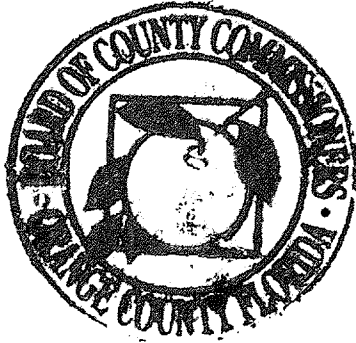
  
 PRINT/TYPE NAME: Omayra Wallace  
 Notary Public in and for the  
 County and State last aforesaid.  
 My Commission Expires: May 11, 2028  
 Serial No., if any: HH 486533



PARCEL NO. 886.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 7

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Byron W. Brooks  
Byron W. Brooks

Jerry L. Demings  
Orange County Mayor

DATE: 5 June 2024

Address:  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond  
Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

BY: David Rooney  
Deputy Clerk  
DAVID ROONEY  
Printed Name

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

**JUN 04 2024**

23-UTL ORANGE COUNTY-06/19

March 8, 2023

This instrument prepared by

Robin D. Derr

Under the direction of

DANIEL L. MCDERMOTT, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

**DOC # 20240373671**

06/27/2024 07:28 AM Page 1 of 8

Rec Fee: \$69.50

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: SIMPLIFILE LC

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4 1 4123 266  
STATE ROAD 50  
COUNTY Orange

Please Return To:

Florida Department of Transportation

719 S. Woodland Boulevard

R/W Records Management MS 551

DeLand, FL 32720-6834

Attn: J. Denby

### SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this 19<sup>TH</sup> day of JUNE, 2024, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the F.D.O.T., and ORANGE COUNTY, a charter county and political subdivision of the state of Florida, hereinafter called County.

### WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the F.D.O.T.; and

WHEREAS, the F.D.O.T. is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and F.D.O.T. agree as follows:

County hereby subordinates to the interest of F.D.O.T., its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 2

PARCEL 888  
DRAINAGE EASEMENT

SECTION 75050  
F.P. NO. 239535 4

That part of:

"A portion of land lying in the Southwest  $\frac{1}{4}$  of Section 24, Township 22 South, Range 28 East, being more particularly described as commencing at the southwest corner of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence North  $00^{\circ} 13' 26''$  East a distance of 564.10 feet along the west line of said section; thence East a distance of 30.00 feet for a POINT OF BEGINNING; said point being on the east Right of way line of Hiawassee Road and 475.00 feet north of the north right of way line of State Road No. 50; thence run North  $00^{\circ} 13' 26''$  East along said east right of way line a distance of 266.19 feet; thence South  $89^{\circ} 47' 47''$  East a distance of 629.71 feet to the east line of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section; thence South  $00^{\circ} 17' 05''$  West a distance of 165.93 feet to the southeast corner of said Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence South  $89^{\circ} 48' 35''$  East a distance of 165.00 feet along the south line of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section; thence North  $00^{\circ} 17' 05''$  East a distance of 633.58 feet to the south right of way line of Arundel Drive; thence South  $89^{\circ} 45' 34''$  East a distance of 660.20 feet along said south right of way line; thence South  $00^{\circ} 20' 44''$  West a distance of 633.01 feet to the south line of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section; thence North  $89^{\circ} 48' 35''$  West a distance of 165.00 feet to the southwest corner of said Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence South  $00^{\circ} 20' 44''$  West a distance of 570.84 feet along the east line of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section, to a point on the north right of way line of State Road No. 50; thence West a distance of 237.90 feet along said right of way line; thence North  $00^{\circ} 13' 26''$  East a distance of 250.00 feet parallel with and 1050.00 feet east of the east right of way line of Hiawassee Road; thence West a distance of 450.00 feet along a line parallel with the north right of way line of State Road No. 50; thence North  $00^{\circ} 13' 26''$  East a distance of 225.00 feet along a line parallel with the east right of way line of Hiawassee Road; thence West a distance of 600.00 feet along a line parallel with the north right of way line of State Road No. 50, to the POINT OF BEGINNING.

LESS AND EXCEPT:

COMMENCE at the southwest corner of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence North  $00^{\circ} 03' 31''$  East along the west line of said Section 24 a distance of 89.10 feet; thence East (North  $90^{\circ} 00' 00''$  East) a distance of 30.00 feet to

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 3

a point on the north right of way line of State Road 50; thence North 00° 03' 31" East parallel with the west line of said Section 24 a distance of 475.00 feet for a Point of Beginning; thence continue North 00° 03' 31" East a distance of 266.61 feet to the south line of the North half of the South half of the Northwest ¼ of the Southwest ¼ of the Southwest ¼ of said Section 24; thence North 89° 41' 31" East along said south line a distance of 20.00 feet; thence South 00° 03' 31" West a distance of 266.72 feet; thence West (South 90° 00' 00" West) parallel with the north right of way line of State Road 50, a distance of 20.00 feet to the Point of Beginning.

AND

The South 166.76 feet of the West 165 feet of the Northeast ¼ of the Southwest ¼ of the Southwest ¼ of Section 24, Township 22 South, Range 28 East, Orange County, Florida.

MORE PARTICULARLY DESCRIBED AS:

A portion of land lying in the Southwest ¼ of Section 24, Township 22 South, Range 28 East, being more particularly described as commencing at the southwest corner of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence North 00° 13' 26" East, a distance of 564.10 feet along the west line of said Section; thence East a distance of 50.00 feet for a POINT OF BEGINNING; said point being on the current east right of way line of Hiawassee Road and 475.00 feet North of the north right of way line of State Road No. 50; thence run North 00° 13' 26" East along said east right of way line a distance of 266.58 feet; thence South 89° 52' 08" East a distance of 774.49 feet; thence North 00° 16' 03" East a distance of 471.00 feet to the projected south right of way line of Arundel Drive; thence North 89° 41' 02" East a distance of 660.20 feet along said south right of way line; thence South 00° 19' 42" West a distance of 640.42 feet to the south line of the Northwest ¼ of the Southeast ¼ of the Southwest ¼ of said section; thence South 89° 54' 51" West a distance of 165.15 feet to the southwest corner of said Northwest ¼ of the Southeast ¼ of the Southwest ¼; thence South 00° 18' 38" West a distance of 577.50 feet along the east line of the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of said section, to a point on the north right of way line of State Road No. 50; thence North 89° 59' 32" West, a distance of 237.82 feet along said right of way line; thence North 00° 13' 26" East a distance of 250.00 feet parallel with and 1050.00 feet east of the east right of way line of Hiawassee Road; thence North 89° 59' 32" West a distance of 450.00 feet along a line parallel with the north right of way line of State Road No. 50; thence North 00° 13' 26" East a distance of 225.00 feet along a line parallel with the east right of way line of Hiawassee Road; thence North 89° 59' 32" West a distance of 580.01 feet along a line parallel with the north right of way line of State Road No. 50, to the POINT OF BEGINNING."

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 4

(Being the lands described and recorded in Document Number 20160483140, Public Records of Orange County, Florida)

Described as follows:

Commence at a 4-inch by 4-inch concrete monument with no identification in a well box marking the Northwest corner of the Southwest quarter of Section 24, Township 22 South, Range 28 East, Orange County, Florida; thence run South 00°00'34" West along the West line of the Southwest quarter of said Section 24 a distance of 2643.09 feet to a point on the Centerline of Survey of State Road 50 as shown on Florida Department of Transportation Right of Way Map Section 75050, Financial Project No. 239535 4; thence departing said West line, run North 89°48'19" East along said Centerline of Survey a distance of 1482.61 feet to a point on the East line of the West one-half of the West one-half of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of said Section 24; thence departing said Centerline of Survey, run North 00°06'09" East along said line 652.68 feet to Northeast corner of said West one-half of the West one-half of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 24; thence South 89°42'07" West along the North line of said West one-half of the West one-half of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 24 a distance of 61.86 feet; thence departing said line North 30°44'14" West 126.37 feet; thence North 67°05'06" West 96.52 feet to the POINT OF BEGINNING; thence North 22° 54' 52" East 57.00 feet; thence North 14° 54' 22" West 81.69 feet to the beginning of a curve, concave Easterly, having a radius of 182.10 feet; thence Northerly along the arc of said curve 65.45 feet, through a central angle of 20° 35' 30" to the point of tangency; thence North 05° 41' 08" East 56.01 feet to the beginning of a curve, concave Southwesterly, having a radius of 27.64 feet; thence Northwesterly along the arc of said curve 46.03 feet, through a central angle of 95° 25' 01" to the point of tangency; thence North 89° 43' 54" West 145.49 feet to the beginning of a curve, concave Southeasterly, having a radius of 59.68 feet; thence Southwesterly along the arc of said curve 98.20 feet, through a central angle of 94° 16' 54" to the point of tangency; thence South 04° 00' 47" East 110.92 feet to the beginning of a curve, concave Westerly, having a radius of 115.97 feet; thence Southerly along the arc of said curve 60.34 feet, through a central angle of 29° 48' 44" to the point of tangency; thence South 25° 47' 57" West 72.86 feet to the beginning of a curve, concave Northwesterly, having a radius of 105.03 feet; thence Southwesterly along the arc of said curve 80.72 feet, through a central angle of 44° 02' 06" to the point of tangency; thence South 69° 50' 02" West 10.41 feet to the beginning of a curve, concave Northerly, having a radius of 86.36 feet; thence Westerly along the arc of said curve 86.55 feet, through a central angle of 57° 25' 30" to the point of tangency; thence North 52° 44' 27" West 109.91 feet to the beginning of a curve, concave Southwesterly, having a radius of 24.09 feet; thence Northwesterly along the arc of said curve 15.67 feet, through a central angle of 37° 15' 33" to the point of tangency; thence North 90° 00' 00" West 145.93 feet to the beginning of a curve, concave Easterly, having a radius of 10.95

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 5

feet; thence Southerly along the arc of said curve 26.21 feet, through a central angle of 137° 07' 01" to the point of tangency; thence South 47° 07' 01" East 66.77 feet to the beginning of a curve, concave Westerly, having a radius of 35.67 feet; thence Southerly along the arc of said curve 27.29 feet, through a central angle of 43° 50' 27" to the point of tangency; thence South 03° 16' 34" East 52.59 feet; thence South 16° 16' 46" East 131.22 feet to the beginning of a curve, concave Northeasterly, having a radius of 15.37 feet; thence Southeasterly along the arc of said curve 19.94 feet, through a central angle of 74° 20' 45" to the point of tangency; thence North 89° 22' 28" East 80.05 feet to the beginning of a curve, concave Northerly, having a radius of 60.75 feet; thence Easterly along the arc of said curve 38.20 feet, through a central angle of 36° 01' 56" to the point of tangency; thence North 53° 20' 32" East 53.99 feet to the beginning of a curve, concave Southerly, having a radius of 21.22 feet; thence Easterly along the arc of said curve 17.93 feet, through a central angle of 48° 25' 30" to the point of tangency; thence South 78° 13' 58" East 61.29 feet to the beginning of a curve, concave Northerly, having a radius of 132.78 feet; thence Easterly along the arc of said curve 95.89 feet, through a central angle of 41° 22' 36" to the point of tangency; thence North 60° 23' 26" East 33.09 feet to the beginning of a curve, concave Northwesterly, having a radius of 99.58 feet; thence Northeasterly along the arc of said curve 94.65 feet, through a central angle of 54° 27' 28" to the point of reverse curvature with a curve, concave Southeasterly, having a radius of 58.82 feet; thence Northeasterly, along the arc of said curve 32.46 feet, through a central angle of 31° 37' 20" to the point of tangency; thence North 37° 33' 18" East 67.28 feet to the beginning of a curve, concave Southerly, having a radius of 51.45 feet; thence Northeasterly along the arc of said curve 44.15 feet, through a central angle of 49° 09' 44" to the point of tangency; thence North 86° 43' 02" East 23.32 feet to the beginning of a curve, concave Northerly, having a radius of 37.20 feet; thence Easterly along the arc of said curve 20.60 feet, through a central angle of 31° 44' 04" to the point of tangency; thence North 54° 58' 58" East 20.23 feet to the POINT OF BEGINNING.

CONTAINING 3.878 acres, more or less.

**RECORDED**

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	05/06/1987	Monterey West Limited Partnership	Orange County	3884/1530

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 6

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate road and utility facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. However, the County shall not be required to upgrade the system in the event of modification of existing facilities. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits held by Orange County shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The County agrees to repair any damage caused by the County to F.D.O.T.'s facilities resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above. The F.D.O.T. likewise agrees to repair any damage to County facilities resulting from the F.D.O.T. exercising its rights under the Agreement. Nothing herein shall be construed as a waiver of either party's sovereign immunity beyond the waiver provided in Section 768.28, Fla. Stat. (2016).

PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 7

IN WITNESS WHEREOF, the F.D.O.T. hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered  
in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT  
OF TRANSPORTATION

*Sharon A. Liehr*

By: *[Signature]*

SIGNATURE LINE  
PRINT/TYPE NAME: Sharon A. Liehr  
719 S. Woodland Blvd. DeLand, FL 32720

C. JACK ADKINS  
District Director Of  
Transportation Development  
for District Five  
719 S. Woodland Blvd.  
DeLand, Florida 32720

*Cassandra Hyatt*

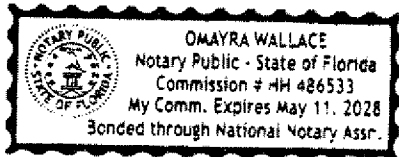
SIGNATURE LINE  
PRINT/TYPE NAME: Cassandra Hyatt  
719 S. Woodland Blvd. DeLand, FL 32720

Legal Review  
By: *[Signature]*  
Office of the General Counsel

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 19 day of June, 2024, by C. Jack Adkins, District Director of Transportation Development for District Five, who is personally known to me or who has produced \_\_\_\_\_ as identification.



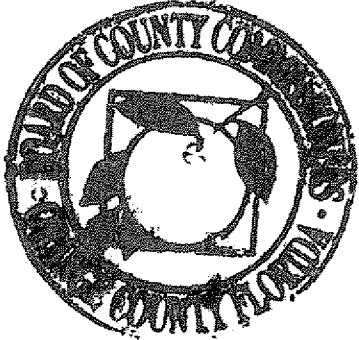
*Omayra Wallace*  
PRINT/TYPE NAME: Omayra Wallace  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: May 11, 2028  
Serial No., if any: HH 486533



PARCEL NO. 888.6  
SECTION 75050  
F.P. NO. 239535 4  
PAGE 8

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: BYRON W. BROOKS  
BYRON W. BROOKS  
M Jerry L. Demings  
Orange County Mayor

DATE: 5 June 2024

Address:  
P. O. Box 1393  
Orlando, Florida 32802-1393

ATTEST: Phil Diamond  
Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

BY: [Signature]  
Deputy Clerk  
DAVID ROONEY  
Printed Name